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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	678-1182
First Inventor	Keum-Chan Whang et al.
Title	MODIFIED PERFORMANCE CRITERION FOR..
Express Mail Label No.	EV 333227990 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 42]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
- Oath or Declaration [Total Pages ]
  - ☐ Newly executed (original or copy)
  - ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
  - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☒ Other: Check for \$750.00

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_ / \_\_\_\_\_  
Prior application information: Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label ☐ Correspondence address below

Name	Paul J. Farrell				
	DILWORTH & BARRESE, LLP				
Address	333 Earle Ovington Blvd.				
City	Uniondale	State	New York	Zip Code	11553
Country	U.S.A	Telephone	(516) 228-8484	Fax	(516) 228-8516

Name (Print/Type)	Paul J. Farrell	Registration No. (Attorney/Agent)	33,494
Signature		Date	July 30, 2003

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV 333227990 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 30, 2003

Michael J. Musella

03914 U.S. PTO  
10/630215  
07/30/03

The PTO did not receive the following  
listed item(s) Data sheet

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# FEE TRANSMITTAL

## for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 750.00

## Complete if Known

Application Number

Filing Date

July 30, 2003

First Named Inventor

Keum-Chan Whang et al.

Examiner Name

Art Unit

Attorney Docket No.

678-1182

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

 Deposit Account Number  
 Deposit Account Name

04-1121

Dilworth &amp; Barrese LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	750.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 750.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	10	-20** =	0	X	0.00
Independent Claims	2	-3** =	0	X	0.00
Multiple Dependent					0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	1052 50	2052 25	Surcharge - late filing fee or oath	
1053 130	2053 130	1812 2,520	2052 25	Surcharge - late provisional filing fee or cover sheet	
1812 2,520	2053 130	1804 920*	2052 25	Non-English specification	
1804 920*	1812 2,520	1805 1,840*	2053 130	For filing a request for <i>ex parte</i> reexamination	
1805 1,840*	1804 920*	1251 110	1805 1,840*	Requesting publication of SIR prior to Examiner action	
1251 110	1805 1,840*	1252 410	1805 1,840*	Requesting publication of SIR after Examiner action	
1252 410	1805 1,840*	1253 930	2251 55	Extension for reply within first month	
1253 930	2251 55	1254 1,450	2252 205	Extension for reply within second month	
1254 1,450	2252 205	1255 1,970	2253 465	Extension for reply within third month	
1255 1,970	2253 465	1401 320	2254 725	Extension for reply within fourth month	
1401 320	2254 725	1402 320	2255 985	Extension for reply within fifth month	
1402 320	2255 985	1403 280	2401 160	Notice of Appeal	
1403 280	2401 160	1451 1,510	2402 160	Filing a brief in support of an appeal	
1451 1,510	2402 160	1452 110	2403 140	Request for oral hearing	
1452 110	2403 140	1453 1,300	1451 1,510	Petition to institute a public use proceeding	
1453 1,300	1451 1,510	1501 1,300	2452 55	Petition to revive - unavoidable	
1501 1,300	2452 55	1502 470	2453 650	Petition to revive - unintentional	
1502 470	2453 650	1503 630	2501 650	Utility issue fee (or reissue)	
1503 630	2501 650	1460 130	2502 235	Design issue fee	
1460 130	2502 235	1807 50	2503 315	Plant issue fee	
1807 50	2503 315	1806 180	1460 130	Petitions to the Commissioner	
1806 180	1460 130	8021 40	1807 50	Processing fee under 37 CFR 1.17(q)	
8021 40	1807 50	1809 750	1806 180	Submission of Information Disclosure Stmt	
1809 750	1806 180	1810 750	8021 40	Recording each patent assignment per property (times number of properties)	
1810 750	8021 40	1801 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1801 750	2809 375	1802 900	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1802 900	2810 375		2801 375	Request for Continued Examination (RCE)	
	2801 375		1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Name (Print/Type) Paul J. Farren

Registration No. (Attorney/Agent)

33,494

(Complete if applicable)

Telephone (516) 228-8484

Signature

Date

July 30, 2003

## CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV 333227990 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 30, 2003

Michael J. Musella

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. §1.76**

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Keum- Chan Whang; Chan-Soo Hwang

For: APPARATUS AND METHOD FOR GENERATING SPACE-TIME  
TRELLIS CODE FOR MAXIMIZING SPACE-TIME DIVERSITY GAIN  
AND CODING GAIN IN A MOBILE COMMUNICATION SYSTEM

Enclosed are:

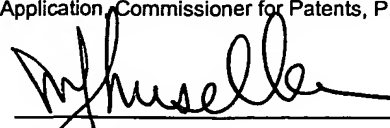
- [X] 33 page(s) of specification  
[X] 1 page(s) of Abstract  
[X] 8 page(s) of claims  
[X] 7 sheets of drawings [X] formal [ ] informal  
[ ] \_\_\_\_\_ page(s) of Declaration and Power of Attorney

ASSIGNEE NAME: SAMSUNG ELECTRONICS CO., LTD.

ASSIGNEE RESIDENCE: KYUNGKI-DO, KOREA

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, July 30, 2003 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV 333227990 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Michael J. Musella

- ☒ This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s):

APPLICATION NO(S):

FILING DATE

60/469,251

May 9, 2003

- ☐ Certified copy of application

Country

Appln. No.

Filed

from which priority under Title 35 United States Code, § 119 is claimed

- ☐ is enclosed.

- ☐ will follow.

**CALCULATION OF UTILITY APPLICATION FEE**

For	Number Filed	Number Extra	Rate	Basic Fee \$750.00
TOTAL CLAIMS	10		x 18 =	\$ .00
INDEPENDENT CLAIMS	2		x 84 =	\$ .00
<input type="checkbox"/> Multiple Dep. Claim			280	\$ .00
		TOTAL \$750.00		

- ☐ Verified Statement of "Small Entity" Status Under 37 C.F.R. § 1.27. Reduced fees under 37 C.F.R. § 1.9(f) (50% of total) paid herewith \$.

- ☐ The amount of \$40.00 for recording the attached Assignment is enclosed as a separate check.
- ☒ Check in the amount of \$750.00 to cover the ☐ recording, ☒ filing fee(s) are attached.
- ☐ Charge fee to Deposit Account No. 04-1121.  
TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Date: July 30, 2003



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Paul J. Farrell  
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Attorney for Applicant

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